

# EXHIBIT 2

Patti Nemeth, M.D.

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UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

— — —

IN RE DEPAKOTE: :  
RHEALYN ALEXANDER, :  
et al., : No.  
Plaintiffs, : 12-52-NJR-SCW  
vs. :  
ABBOTT LABORATORIES, :  
INC., :  
Defendant. :

DEPOSITION UNDER ORAL EXAMINATION OF  
PATTI NEMETH, M.D.

9:00 a.m.

Rio Rancho, New Mexico

— — —

REPORTED BY: DANA SREBRENICK, CRR, CLR

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1 Mr. Bross brought to your attention earlier.

2 MR. OTT: Are you going to be on that  
3 same page, 437?

4 MR. KLATT: I want to go to an earlier  
5 page, page 434.

6 MR. OTT: Let's see if we can find it.  
7 Does it start off "sprinkle," on the "Depakote  
8 sprinkle" continued on the top? 434, right?

9 MR. BROSS: That would be that page.

10 MR. OTT: It says, "Depakote sprinkle,"  
11 there's no page number on the top.

12 MR. KLATT: I'm sorry.

13 BY MR. KLATT:

14 Q. In the right-hand column of the page  
15 you're looking at, does it have the beginning of  
16 the entry for Depakote tablets?

17 A. Yes.

18 Q. And is that what you were prescribing to  
19 Ms. Sansone?

20 A. Yes.

21 Q. And do you see that there's a box warning  
22 there?

23 A. Yes.

24 Q. Is it your understanding that a box  
25 warning is the most serious warning that FDA can

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1 prescribe for a drug?

2 A. Yes.

3 Q. And do you see that the box warning is in  
4 a box, correct?

5 A. Yes.

6 Q. And in the middle of the box is in bolded  
7 "Teratogenicity," correct?

8 A. Yes.

9 Q. And that means birth defects?

10 A. That's right.

11 Q. To a physician; is that right?

12 A. Yes.

13 Q. And it says here -- and I don't think  
14 Mr. Bross read this to you earlier, it says,  
15 "Valproate can produce teratogenic defects such as  
16 neural tube defects, for example, spina bifida,"  
17 correct?

18 A. Yes.

19 Q. So in 2003/2004, you knew that Depakote  
20 could produce teratogenic defects such as neural  
21 tube defects, including spina bifida, correct?

22 A. Yes.

23 Q. Spina bifida is an extremely serious  
24 birth defect; is that right?

25 A. Yes.

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1 CERTIFICATION

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4 I, DANA N. SREBRENICK, a Certified Court  
5 Reporter for and within the State of New Mexico,  
6 do hereby certify:

7 That the witness whose testimony as herein  
8 set forth, was duly sworn by me; and that the  
9 within transcript is a true record of the  
10 testimony given by said witness.

11 I further certify that I am not related to  
12 any of the parties to this action by blood or  
13 marriage, and that I am in no way interested in  
14 the outcome of this matter.

15 IN WITNESS WHEREOF, I have hereunto set my  
16 hand this 5th day of October 5, 2016.

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DANA N. SREBRENICK, CLR, CRR

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